IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1834 OF 2004

Mrs.Kamala Shetty & Anr. ...Applicants.

V/s.

State of Maharashtra & Ors. ...Respondents

Shri Somi Joseph i/b. Juriscons for Applicants.

Mr.D.P. Adsule, A.P.P. for Respondent - State.

CORAM : A.S. AGUIAR, J.
DATED : AUGUST 12, 2004.

P.C. :-

1. Heard learned Advocate for the applicants. The applicants challenges the order of learned Metropolitan Magistrate, 27th Court, Mulund, dated 3.4.2003 issuing the process as well as the order of the Sessions Court dated 23.7.2003, upholding the issue of process.

2. Having heard learned Advocate for the applicants, it is clear that the only submission is that there is no evidence except that of the complainant and therefore, the learned Magistrate ought not to have issued process. In actual effect, the submission is

that there is no corroboration to the complainant version and therefore, there can be no conviction.

3. Clearly, there is no substance in the submission of the applicants. The evidence of the complainant by itself, if found credible, is sufficient to convict the accused. Both the lower course have upheld the issue of process. I see no reason to interfere.

. Hence, the application rejected and disposed of.

. Parties be supplied authenticated copy of this order.

(A.S. AGUIAR, J.)